

## REMARKS

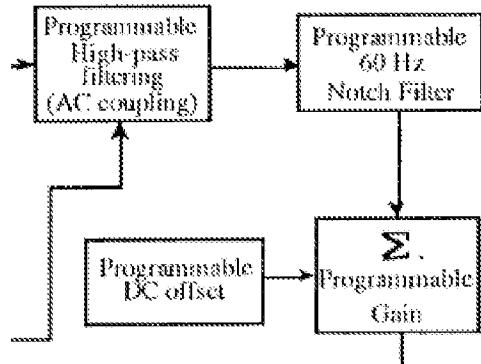
In the Office Communication mailed November 4, 2008 as entered in the above-captioned matter, the Examiner objected to the specification and rejected claims 1, 3-6, 10, and 11 under 35 U.S.C. 102(b) given Braun (U.S. Patent No. 6,050,940) (“Braun”). Claim 12 was rejected under 35 U.S.C. 103(a) given Braun in view of Gudaitis (U.S. Patent No. 5,392,784) (“Gudaitis”). The applicant respectfully traverses these rejections and requests reconsideration.

### **Objections to the specification**

The Examiner noted a number of informalities pertaining to the use of reference numerals in the text and in the drawings. Pursuant to this response the applicant has carefully reviewed the application and has made numerous corrections to the text and to the drawings with respect to the reference numerals. The applicant thanks the Examiner for noting these informalities and for providing this opportunity to make these corrections.

### **Rejections under 35 U.S.C. 102**

Claims 1, 3-6, 10, and 11 were rejected under 35 U.S.C. 102(b) given Braun. Braun discloses an approach that applies a high-pass filter to his signal prior to error-correcting that signal. Refer in particular to Braun’s FIG. 3 (shown in relevant part at the right for the convenience of the reader) where Braun’s high-pass filtering component precedes the programmable gain component where Braun’s error correction occurs as a function of his programmable DC offset.



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The applicant's teachings differ from those of Braun in any number of ways. For the sake of brevity, however, the applicant will focus here on a particular point of distinction – the functional location/use of the applicant's high-pass filter.

In particular, as disclosed by the applicant, the high-pass filter is applied after developing the error-corrected signal and not prior to developing that error-corrected signal as proposed by Braun. This high-pass filtered error-corrected signal is then used as an error-correction signal by the applicant. Braun's error-correction signal is not developed as a high-pass filtered version of the resultant error-corrected signal.

*Claim 1*

Claim 1 has been amended to specify, "wherein the error correction parameter comprises, at least in part, a high-pass filtered version of the resultant error-corrected signal."

As Braun offers no specific teachings or suggestions in these regards, the applicant respectfully submits that Braun cannot be fairly viewed as anticipating the recitations of claim 1.

*Claims 3-6, 10, and 11*

These claims are ultimately dependent upon claim 1, which claim has been shown allowable above. While the applicant believes that other arguments are available to highlight the allowable subject matter presented in various ones of these dependent claims, the applicant also believes that the comments set forth herein regarding allowability of the independent claims are sufficiently compelling to warrant present exclusion of such additional points for the sake of brevity and expedited consideration.

**Rejections under 35 U.S.C. 103**

*Claim 12*

This claim is ultimately dependent upon claim 1, which claim has been shown allowable above. While the applicant believes that other arguments are available to highlight the allowable

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subject matter presented in this dependent claim, the applicant also believes that the comments set forth herein regarding allowability of claim 1 are sufficiently compelling to warrant present exclusion of such additional points for the sake of brevity and expedited consideration.

### **Conclusion**

There being no other objections to or rejections of the claims, the applicant respectfully submits that claims 1, 3-6, and 10-12 are allowable and may be passed to issuance. If the Examiner should have any other points of concern, the Examiner is expressly invited to contact the undersigned by telephone to discuss those concerns and to seek an amicable resolution.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: \_\_\_\_\_

  
Steven G. Parmelee  
Registration No. 28,790

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120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-4277  
Telephone: (312) 577-7000